



House of Representatives

General Assembly

File No. 335

January Session, 2017

Substitute House Bill No. 7237

House of Representatives, March 30, 2017

The Committee on Human Services reported through REP. ABERCROMBIE of the 83rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING AN ADVISORY BOARD FOR PERSONS WHO ARE DEAF OR HARD OF HEARING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46a-27 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The [Commission on the Deaf and Hearing Impaired] Advisory
4 Board for Persons Who are Deaf or Hard of Hearing is hereby created
5 to advocate, strengthen and advise the [Department of Rehabilitation
6 Services] Governor and the General Assembly concerning state policies
7 affecting deaf [and hearing impaired] or hard of hearing individuals
8 and their relationship to the public, industry, health care and
9 educational opportunity. The board shall:

10 (1) Monitor services for deaf or hard of hearing persons;

11 (2) Periodically meet with the Commissioners of Public Health,
12 Social Services, Mental Health and Addiction Services, Education,

13 Developmental Services, and Children and Families and the Labor
14 Commissioner, or the commissioners' designees, to discuss best
15 practices and gaps in services for persons who are deaf or hard of
16 hearing;

17 (3) Refer individuals with complaints concerning the qualification
18 and registration of interpreters for persons who are deaf or hard of
19 hearing to the entity designated pursuant to section 46a-10b;

20 (4) Make recommendations for (A) technical assistance and
21 resources for state agencies in order to serve persons who are deaf or
22 hard of hearing; (B) public policy and legislative changes needed to
23 address gaps in services; and (C) the qualifications and registration of
24 interpreters pursuant to section 46a-33a. The board shall submit such
25 recommendations, in accordance with section 11-4a, to the Governor
26 and the joint standing committee of the General Assembly having
27 cognizance of matters relating to human services.

28 Sec. 2. Section 46a-28 of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective from passage*):

30 (a) The [Commission on the Deaf and Hearing Impaired] Advisory
31 Board for Persons Who are Deaf or Hard of Hearing shall consist of
32 [twenty-one members, three of whom shall be ex officio. The ex-officio
33 members shall consist of the following individuals:] the following
34 fifteen members appointed by the Governor: (1) The consultant
35 appointed by the State Board of Education in accordance with section
36 10-316a, or the consultant's designee; (2) the president of the
37 Connecticut Council of Organizations Serving the Deaf, [and the
38 superintendent] or the president's designee; (3) the president of the
39 Connecticut Association of the Deaf, or the president's designee; (4) the
40 president of the Connecticut Registry of Interpreters for the Deaf, or
41 the president's designee; (5) the Commissioner of Rehabilitation
42 Services, or the commissioner's designee; (6) the executive director of
43 the American School for the Deaf, [The following members shall be
44 voting members: The Commissioners of Public Health, Social Services,
45 Mental Health, Education, Developmental Services, and Children and

46 Families and the Labor Commissioner or their designees and eleven
47 members appointed by the Governor. Of the members appointed by
48 the Governor one shall be a physician licensed to practice medicine in
49 this state and specializing in otolaryngology; one] or the executive
50 director's designee; (7) a parent of a student in a predominantly oral
51 education program; [, one] (8) a parent of a student at the American
52 School for the Deaf; [and one a parent of a student in a public school
53 hearing impaired program, and seven deaf persons, one of whom shall
54 be a parent] (9) a person who is deaf; (10) a person who is hard of
55 hearing; (11) a person who is deaf and blind; (12) an interpreting
56 professional who serves deaf or hard of hearing persons; (13) a health-
57 care professional who works with persons who are deaf or hard of
58 hearing; (14) the Governor's liaison to the disability community; and
59 (15) an educator who works with children who are deaf or hard of
60 hearing. The Commissioner of Rehabilitation Services, the Governor's
61 liaison to the disability community and a member chosen by the
62 majority of the board shall be the chairpersons of the advisory board.

63 (b) The [commission] advisory board shall meet at least quarterly or
64 more often at the call of the [chairperson] chairpersons or a majority of
65 the members. A majority of [the voting] members in office but not less
66 than [seven] eight voting members shall constitute a quorum.

67 (c) Any appointed member who fails to attend three consecutive
68 meetings or who fails to attend fifty per cent of all meetings held
69 during any calendar year shall be deemed to have resigned. Vacancies
70 occurring otherwise than by expiration of term in the membership of
71 the [commission] advisory board shall be filled by the [officer
72 authorized to make the original appointments] Governor.

73 [(d) The members of the commission shall be reimbursed for actual
74 and necessary expenses incurred in the performance of their duties.]

75 Sec. 3. Subsection (d) of section 2c-2h of the general statutes is
76 repealed and the following is substituted in lieu thereof (*Effective from*
77 *passage*):

78 (d) Not later than July 1, 2017, and not later than every ten years
79 thereafter, the joint standing committee of the General Assembly
80 having cognizance of any of the following governmental entities or
81 programs shall conduct a review of the applicable entity or program in
82 accordance with the provisions of section 2c-3:

83 (1) Connecticut State Board of Examiners for Nursing, established
84 under section 20-88;

85 (2) Advisory and planning councils for regional centers for persons
86 with intellectual disability, established under section 17a-273;

87 (3) Automotive Glass Work and Flat Glass Work Board, established
88 under section 20-331;

89 (4) Electrical Work Board, established under section 20-331;

90 [(5) Commission on the Deaf and Hearing Impaired, established
91 under section 46a-27;]

92 [(6)] (5) Occupational Safety and Health Review Commission,
93 established under section 31-376; and

94 [(7)] (6) Connecticut Marketing Authority, established under section
95 22-63.

96 Sec. 4. Subsection (g) of section 2c-2h of the general statutes is
97 amended by adding subdivision (5) as follows (*Effective from passage*):

98 (NEW) (5) Advisory Board for Persons Who are Deaf or Hard of
99 Hearing, established under section 46a-27, as amended by this act.

100 Sec. 5. Subdivision (2) of section 4-61aa of the general statutes is
101 repealed and the following is substituted in lieu thereof (*Effective from*
102 *passage*):

103 (2) The [Commission on the Deaf and Hearing Impaired] Advisory
104 Board for Persons Who are Deaf or Hard of Hearing;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	46a-27
Sec. 2	<i>from passage</i>	46a-28
Sec. 3	<i>from passage</i>	2c-2h(d)
Sec. 4	<i>from passage</i>	2c-2h(g)
Sec. 5	<i>from passage</i>	4-61aa(2)

Statement of Legislative Commissioners:

In Section 1, "affecting deaf and [hearing impaired]" was changed to "affecting deaf [and hearing impaired] or" and in Section 1(4)(c) "qualification" was changed to "qualifications" for consistency and accuracy; in Section 2(a), "the following" was added before "fifteen members", "who serves deaf or hard of hearing persons" was added after "an interpreting professional" and the last sentence was redrafted for clarity; in Section 2(b) "chairperson" was changed to "chairpersons" for accuracy; and Section 5 was added for accuracy and consistency.

HS*Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
Various State Agencies	GF - Potential Savings	under \$1,000	under \$1,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes various changes to the newly named Advisory Board for Persons Who are Deaf or Hard of Hearing, including removing the requirement that members be reimbursed for their expenses. There is a potential savings to the state associated with no longer reimbursing expenses for seven state agency heads that were previously members of the board.

The Department of Rehabilitation Services currently pays for the services required by the Advisory Board (sign language interpreter services and captioning) and this remains unchanged under the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 7237*****AN ACT CONCERNING AN ADVISORY BOARD FOR PERSONS WHO ARE DEAF OR HARD OF HEARING.*****SUMMARY**

This bill renames the Commission on the Deaf and Hearing Impaired as the “Advisory Board for Persons Who are Deaf or Hard of Hearing.” The bill also changes the board’s membership, expands its duties, and requires it to advocate, strengthen, and advise the governor and the General Assembly, rather than the Department of Rehabilitation Services (DORS), on state policies affecting deaf and hard of hearing individuals and their relationship to the public, industry, health care, and educational opportunity.

The bill increases, from seven to eight, the number of voting members needed for a quorum. It also removes a requirement that members be reimbursed for their expenses. Under the bill, the governor fills any vacancies, rather than the officer authorized to make the original appointments.

The bill delays the initial review of the board under the state’s sunset law from July 1, 2017 to July 1, 2020. Existing law requires the Human Services Committee to conduct a review of the board every ten years after its initial review.

EFFECTIVE DATE: Upon passage

BOARD MEMBERSHIP

Under current law, the commission has 21 members, three of whom are non-voting and seven of whom are state agency heads. Under the bill, the board has 15 members, all of whom are voting and appointed by the governor. Table 1 compares the membership of the commission

under current law with that under the bill. Under the bill, the board has three chairs: (1) the DORS commissioner, (2) the governor's liaison to the disability community, and (3) a board member chosen by a majority of the board.

Table 1: Membership Changes

Under current law Commission on the Deaf and Hearing Impaired	Under the bill Advisory Board for Persons Who are Deaf or Hard of Hearing
State Agency Heads	
<ul style="list-style-type: none"> • Department of Public Health (DPH) commissioner, or designee • Department of Social Services (DSS) commissioner, or designee • Department of Mental Health, or designee • Department of Education (SDE) or designee • Department of Developmental Services (DDS), or designee • Department of Children and Families (DCF), or designee • Department of Labor Commissioner (DOL), or designee 	<ul style="list-style-type: none"> • DORS commissioner, or designee (chair)
Medical, Educational, or Interpreting Professionals	
<ul style="list-style-type: none"> • State Board of Education's Consultant for the education of hearing-impaired and deaf children appointed by the State Board of Education (non-voting) • President of the Connecticut Council of Organizations Serving the Deaf (non-voting) • Superintendent of the American School for the Deaf (non-voting) • Licensed physician specializing in otolaryngology, appointed by the governor 	<ul style="list-style-type: none"> • State Board of Education's Consultant for the education of hearing-impaired and deaf children appointed by the State Board of Education, or designee • President of the Connecticut Council of Organizations Serving the Deaf, or designee • Executive director of the American School for the Deaf, or designee • President of the Connecticut Association of the Deaf, or designee • President of the Connecticut Registry of Interpreters for the Deaf, or designee • A healthcare professional who works with people who are deaf or hard of hearing

	<ul style="list-style-type: none"> • An interpreting professional • The governor's liaison to the disability community (chair) • An educator who works with children who are deaf or hard of hearing
Parents	
<ul style="list-style-type: none"> • Parent of a student in a predominantly oral education program, appointed by the governor • Parent of a student at the American School for the Deaf, appointed by the governor • Parent of a student in a public school hearing impaired program, appointed by the governor 	<ul style="list-style-type: none"> • Parent of a student in a predominantly oral education program • Parent of a student at the American School for the Deaf
Individuals Who are Deaf or Hard of Hearing	
<ul style="list-style-type: none"> • A parent who is deaf, appointed by the governor • Six additional deaf people, appointed by the governor 	<ul style="list-style-type: none"> • A person who is deaf • A person who is hard of hearing • A person who is deaf and blind

BOARD DUTIES

The bill requires the board to monitor services for people who are deaf or hard of hearing and refer people with complaints about the qualification and registration of interpreters for people who are deaf or hard of hearing to the Connecticut protection and advocacy system.

The bill also requires the board to meet with the DPH, DSS, the Department of Mental Health and Addiction Services, SDE, DDS, DCF, and DOL commissioners, or their designees, to discuss best practices and gaps in services for people who are deaf or hard of hearing.

Under the bill, the board must report to the Human Services Committee its recommendations for:

1. technical assistance and resources for state agencies in order to service people who are deaf or hard of hearing,
2. public policy and legislative changes needed to address gaps in services, and

3. the qualification and registration of interpreters required by state law.

COMMITTEE ACTION

Human Services Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/16/2017)